

Checklist to Respond to Motion to Appoint a Parent Coordinator (Decided by a Court Commissioner)

- You must complete a form before you file it. These instructions will help you complete the forms.
- Court staff cannot complete a form for you.
- Attach a copy of any document referred to in the form.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Some forms may not apply in your case.
- Check with your court about local requirements.

This is a checklist for responding to a motion that will be decided by a court commissioner. If the motion will be decided by a judge, use the checklist for motions to a judge.

In [Judicial Districts 1, 2, 3 and 4](#), commissioners are assigned to divorce cases and several other types of family law cases. Motions decided by a judge and motions decided by a commissioner follow different procedures. The documents are not different, but the time for filing them and the procedures for a hearing are. If you are not sure whether your case is assigned to a judge or commissioner, find out. Call the court, or look at the caption of the complaint or petition. If a commissioner's name has been listed in the caption, the motion likely will be decided by a commissioner.

Motions decided by a judge are governed by [URCP 7](#). Motions decided by a commissioner are governed by [URCP 101](#).

(1) Stipulation or Opposition?

- ☐ Decide whether you want to agree to the Motion filed by the other party.
- ☐ If you agree that a parent coordinator should be appointed and that all of the parent coordinators nominated by the other party are acceptable, complete and file a Stipulation to Appoint a Parent Coordinator.
- ☐ If you decide that a parent coordinator should not be appointed or that someone other than the parent coordinators nominated by the other party should be appointed, complete and file a Memorandum Opposing Motion to Appoint a Parent Coordinator.

(2) Stipulation to Appoint a Parent Coordinator

- If you and the other party agree about appointing a parent coordinator, complete the Stipulation and file it with the Motion.

- ☐ Complete the heading exactly as it appears in the Petition.
- ☐ Paragraph (1): Print the name of the professional you have agreed to have appointed as parent coordinator. Print the number of hours of consultation with the parent coordinator that you have agreed to.
- ☐ Paragraph (2): Print the split of the parent coordinator's fees that you have agreed to.
- ☐ Paragraph (3) describes the normal role of a parent coordinator. If you do not want to limit that role, leave the lines blank. If you want the commissioner to limit the parent coordinator's role, describe those limits and explain why.
- ☐ Both parties should date and sign the Stipulation, and both parties should keep a copy.
- ☐ Attach the original Stipulation to the Motion and file it with the court.

(3) Memorandum Opposing Motion to Appoint a Parent Coordinator

- Some commissioners require a written Memorandum Opposing the Motion. Some do not. You should contact the commissioner's staff to find out whether a Memorandum Opposing the Motion must be filed. Even if a commissioner does not require a written Memorandum Opposing the Motion, it may be to your advantage to file one.
- If you do not agree with the Motion to Appoint a Parent Coordinator, and if you want to file a memorandum opposing it, you must file and serve the Memorandum Opposing the Motion at least 14 days before the hearing.
- ☐ Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- ☐ Complete the heading exactly as it appears in the Petition.
- ☐ Paragraph (1): Check the box **only** if you oppose the **entire** Motion. Explain why you oppose the Motion.
- ☐ Paragraph (2): Check the box **only** if you disagree with the parent coordinators proposed by the other party. Print the names of the professionals you are willing to have appointed as parent coordinator. For each person named, attach a Statement of Qualifications completed by that person. If the Motion is granted, the court will appoint a parent coordinator suggested by you or the other party or one selected by the court. Name as few or as many people as you want.
- ☐ Paragraph (3): Check the box **only** if you disagree with the consultation hours proposed by the other party. Print the number of consultation hours with the parent coordinator that you want the court to order. Explain why this amount of time is needed.
- ☐ Paragraph (4): Check the box **only** if you disagree with the responsibility for fees proposed by the other party. Print the percent of the parent coordinator's fees that should be paid by you and the percent that should be paid by the other party.

Explain why this split is fair. Attach a Financial Declaration and its supporting documents, unless you have already done so.

- ☐ Paragraph (5): Check the box **only** if you disagree with the limitations proposed by the other party. Check the correct box to say whether you want no limits or different limits than proposed by the other party. Describe those limits and explain why.
- ☐ Attach any required documents and forms.
- ☐ Date and sign the form.
- ☐ Complete the Certificate of Service.
- ☐ Serve the form and attachments on the other party. You must file and serve a Memorandum Opposing the Motion at least 14 days before the hearing.
- ☐ File the original form, attachments and certificate of service with the court.

(4) Reply to Memorandum Opposing Motion (if applicable)

- If you file a Memorandum Opposing the Motion, the other party may file a Reply to that Statement to disagree with a topic that you raise that is not mentioned in the Motion. The Reply must be filed and served at least 7 days before the hearing.

(5) Attend the Hearing

- All Motions decided by a commissioner will be decided after a hearing, unless the parties agree to the Motion. Be sure to attend the hearing.

(6) Findings of Fact, Conclusions of Law, and Order on Motion

- The Order might be completed at different times, depending on how the case is decided.
- ☐ Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- ☐ Complete the heading exactly as it appears in the Petition.
- ☐ If the Motion is agreed to and there is no hearing, complete the rest of the order so that it agrees with the Motion.
- ☐ If the Motion is not agreed to, do not complete the rest of the order unless you are told to do so. The commissioner will tell one of the parties to prepare the order after the hearing.
- ☐ Attach any required documents or forms.
- At the hearing, the commissioner will decide the issues and will tell one of the parties to prepare the order. Listen carefully to the commissioner's decision. The order must agree with that decision, and you may have to prepare it.
- ☐ If you are told to prepare the order, complete it so that it agrees with the commissioner's decision.

- ☐ Date and sign the order under the phrase: “approved as to form.”
- ☐ Complete the Certificate of Service.
- ☐ Within 14 days after being told to prepare the order, file the original order and the Certificate of Service with the court, and serve the other party.
- ☐ The other party has 7 days from when the proposed order is served in which to object as to form of the proposed order.

(7) Notice of Order

If you prepared the order or if the commissioner says you have to serve the signed order:

- ☐ Print your name and contact information at the top of the Notice of Order. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- ☐ Complete the heading exactly as it appears in the Petition.
- ☐ Attach any required documents and forms.
- ☐ Date and sign the form.
- ☐ Complete the Certificate of Service.
- ☐ Serve the form and attachments on the other party.
- ☐ File the original form and attachments with the court.